

# Piece-rate ruling: Math and the state Supreme Court

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Yakima Herald  
Jul 17, 2015

One other important aspect about Thursday's state Supreme Court ruling on piece-rate break pay is worth noting.

The justices not only decided that farmers must pay piece-rate workers separately for their rest break time, they also decided how much the farmers should pay.

The federal court that certified the case to the state Supreme Court asked two questions: Should rest breaks for piece-rate workers be paid separately by the employer? And, if so, by how much?

**My story in Friday's paper** dealt mostly with the first question, which the justices **unanimously answered with a yes.**

Farmers associations, such as the Washington Growers League, argued that if the court said yes to the first question, they should set the rest break pay at minimum wage to answer the second.

The plaintiffs, the workers who sued the Skagit County berry producer Sakuma Brothers Farms, contended they should be paid the same rate on their breaks as their work productivity, that is, the average of their wages based on the pay period.

The court agreed with the workers, again unanimously. Thus, the more they make during productive time, such as while they pick apples, the more they will make during their breaks.

For example, a worker picking four bins at \$24 apiece would end up making the equivalent of \$12 per hour over an eight-hour day. Thus, two 10-minute breaks would be worth \$4 a day, or \$20 per week.

A faster worker filling five bins a day would end up with the equivalent of \$15 per hour. His two breaks would be worth \$5 per day, or \$25 per week.

Whew! Covering this story sure has involved a lot of math.